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NATIONAL INTELLIGENCER.

THE BRITISH COURTS OF LAW

FROM OUR LONDON CORRESPONDENT.

fear that not one man out of every five hundred in which it might, a priori, be supposed he would have respecting a matter so connected with his own well-being and the interests and rights of his fellow-countrymen. If we are within any proximate degree of truth in this opinion, we cannot greatly err in supposing that at least an equal absence of information, arising from a neglect to inquire, exists in the United States; although there it would be entirely excusable. Yet we are decidedly of opinion that, generally speaking, there is a much higher average of information respecting the history, the laws, and the constitution of England in the United States than there is in England itself. We do not say this either in praise of one country or in derogation of the other; we merely state what we be-lieve to be a fact, arising from the peculiar circumstances of each country, and from causes which it would be far from difficult to explain. Be this as it may, we have thought that a brief outline of the Kingdom. Its peculiar and principal business is construction, duties, and peculiar field of action of the various British courts of law might not prove uninteresting to our transatlantic friends.

The Sovereign is intrusted by the constitution with the whole executive power of the law, and has the power of appointing the judges, but not of removing them, which can only be done, since 13 William III., on the address of both Houses of Parliament impeaching their good conduct; nor are the judges removed in consequence of the demise of the Crown. The judges thus hold their responsible offices by the most independent title, and are separated from all political influence, either of the Crown, the Legislature, or the Executive Government.

Until the 1 William IV. the number of common

law judges was 12, viz. one chief judge and three puisne judges in each court. One puisne judge was then added to each court. The courts of common LAW are now organized as follows:

Lord Chief Justice, (Sir John Jervis) .. 7,000 Justices, (Maule, Cresswell, Williams, and Talfourd,) salary of each.....

Court of Ezchequer.

Lord Chief Baron, (Sir Frederick Pollock)......
Barons, (Parker, Alderson, Platt, and Martin,) salary of each.....

annually through England and Wales, for the administration of civil and criminal justice in every

The Courts of Equity form a distinct part of the administration of the law. Their jurisdiction is of a very extensive nature, especially in all mat-ters relating to trusts, of which they have exclusive cognizance. The Equity Judges are the Lord Chancellor, the Master of the Rolls, the two Lords is a political officer of the highest importance and influence, and his duration of office depends upon the existence of the administration of which he is a member. He is a privy councillor, and has always a seat in the Cabinet, where he has great weight in all mixed questions of law and politics. He is also the adviser of the Royal Family in all cases of doubt and difficulty affecting the interest of any of its members. He is at the head of the Judges and which he hears and decrees in the Rolls Court, but head of the Law. He has great power and patronage. The present Chancery officers are-

LORD CHANCELLOR-Lord St. Leonards, (Sugden;) sala-JUDGES OF CHANCERY APPEAL—Sir James Knight Bruce

and Lord Cranworth; salary of each £6,000.

MASTER OF THE ROLLS—Sir John Romilly; salary

VICE CHARCELLORS-Sir James Turner, Sir R. T. Kin-

All the Equity Judges, with the exception of the Lord Chancellor, are separated from political power, and independent of its influence; the Master of the Rolls holding his appointment for life, and the Vice Chancellors and Lords Justices of Appeal during good behavior. The Lord Chancellor and Chief

The COURT OF EXCHEQUER is an ancient Court Sovereign, and appears as such in all cour of Record for the trial and determination of all the interests of the Crown are in question. of Record for the trial and determination of all causes affecting the revenue and rights of the Crown. As a Court of Revenue, the Exchequer ascertains and enforces the rights of the Crown, when the revenue is concerned, against the subject. As a Court of Common Law, all personal suits between rabject and subject; excepting such as relate to real property, may be determined by it. It holds its aittings in Westminster Hall.

The Common Law Judges also sit in the Courts of Appeal of which there are two

of Appeal, of which there are two.

The Court of Criminal Appeal was established in 1848, when it was enacted that Courts of Oyer

and Terminer, or Gaol Delivery, and Courts of Quarter Session, should have power to reserve any question of law arising on matters before them, for the consideration of the Judges sitting as a Court of Appeal in Criminal Cases; any five of them, one being the chief of a superior Court, being fully au-thorized to hear and determine such question.

The Court of Exchequer Chamber was establish ed as a Court of Appeal so far back as 31st Edward III, (1358.) Its constitution was remodelled by the statutes 11th George IV. and 1st William IV. According to its present organization, the judgments of each of the three Superior Common Law Courts, in all suits whatever, are subject to revision by the judges of the other two Courts, sitting col-lectively as a Court of Error in the Exchequer Chamber.

Law is insufficient, or does not provide a remedy; interfering to prevent a wrong on principles of universal justice, when the positive enactments of the law are silent. This court does not, however, exercise an arbitrary discretion. It is as much bound Court of Chancery is composed of separate tribunals, respectively presided over by the Lord Chancellor, with the newly-created Appeal Judges, the Master of the Rolls, and the Vice Chancellors, before any of whom causes may be brought indifferently, except-An appeal lies from the Master of the Rolls and the Vice Chancellors to the Lord Chancellor and the Vice Unancellors to the Lord Chancellor and the Lords Justices, and from them to the House of Lords. The Lords Justices were appointed in 1851, to facilitate the business of the Court and relieve the Lord Chancellor. The Court is constituted by one of the Justices sitting with the Lord Chancellor, of Appeal, and reserving to him all the other min-isterial duties and functions which belong to his high office. The Chancellor was originally the Sovereign's chief secretary, and from the nature of 7,000 his office his adviser. He affixed the King's seal to royal grants and charters. Thus he became The Common Law Judges make two Circuits chancellor and Lord Keeper were declared to be nonually through England and Wales, for the administration of civil and criminal justice in every country. For this purpose the country is divided county. For this purpose the country is divided into eight circuits. The judges, according to seniority, choose their circuits, which are held in the him; and he has jurisdiction over idiots and lunatics all these classes being what is called wards in chancery. He has a special jurisdiction in matters of bankruptcy, and in many other cases; and he has the peculiar power of preventing a person from leaving the kingdom, by issuing of a writ of ne exeat regno. The Lord Chancellor's Court sits at West-Justices of the Court of Chancery Appeal, and the minster Hall during Easter and Trinity terms, and three Vice Chancellors. The LORD CHANCELLOR at Lincoln's Inn Hall during the remainder of the

> The MASTER OF THE ROLLS has judicial power and the House of Comin the House of the collision on the St. John
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> in the House of the Collision of th and is an assistant to the Lord Chancellor when present, and his deputy when absent. His office is

reated 53d George III, as a means of assisting the Lord Chancellor in his then greatly increased business. In 1841 two additional Vice-Chancellors were appointed. The Vice-Chancellors are empowered to hear and determine all causes pending in the Court of Chancery, and their decrees are valid

The subscription price of this paper for a year is Three existence as a separate Court from the provision in the Great Charter which says common pleas should no longer follow the King's Court, but be held in a place certain. This Court was formerly the great tribunal for determining disputes of property. It was styled by Sir Edward Coke "the lock and key and not not not not necessarily changed with the Government.

The Attorney and Solicitor-General advise the place certain. This Court was formerly the great tribunal for determining disputes of property. It was styled by Sir Edward Coke "the lock and key are instituted or defended by any of the departments of the common law." It had original jurisdiction or officers of the Crown. They advise more especiation of 25 per cent. (or one-fourth of the full charge) to hear and determine all pleas of land and injuries cally in matters of common or municipal law. The merely civil, and relating to real property between subject and subject—the party wronged suing in his own name. Hence the term common pleas, as distinguishing from crown pleas, in which the Sovereign stands in the place of plaintiff on the part of the public. This Court also holds its sittings in Westminster Hall. in fact, in the personal relation of Attorney to his Sovereign, and appears as such in all courts where

fees; they are regarded as political adherents of the Government; they have seats in Parliament, and their tenure of office expires with the Government of which they form a part. The Patent Office is subordinate to the Attorney and Solicitors General.

The Queen is empowered to grant annuities to the common law and equity judges on their retirement from office after fifteen years' service, or in cases of disability from personal infirmity. These limitations, however, do not apply to the Lord Chancellor. These retiring allowances are as follows: These retiring allowances are as follows:

 Lord Chancellor
 £4,000 p

 Master of the Rolls
 3,750

 Judges of the Court of Appeal
 8,750

 Vice Chancellor of England
 3,750

 The other two Vice Chancellors
 3,500

 Chief Justice of Queen's Bench
 3,800

 Chief Justice of Common Pleas
 3,500

The ECCLESIASTICAL COURTS exercise a jurisdicion in spiritual matters, and are distinguished from civil and canon law. The Ecclesiastical Courts were separated from the secular courts soon after the Norman conquest. Their jurisdiction has since very much extended. They are not courts of record.

rates, &c. All charges of a spiritual nature involv. papers. He is also a philanthropist; is in love with all ing defamation of character are made before these mankind, and thinks every body is, or ought to be, in love courts. The jurisdiction of the Ecclesiastical courts, with him. If he has any preferences among his fellowor, as they used to be termed, the Spiritual courts, mortals, it is for a white man over twenty-one years of age, has long remained without change, but great change living in a Congressional district. It is delightful to see him has long been pronounced necessary; they do not, with his friends, at once the hero and the servant of the however, at present possess the power of excommu- group: oracular, yet submissive; yielding up his private nication. All the officers of these courts are paid by fees. We shall not specify in detail the peculiar duties of the six Ecclesiastical courts. Those duties have evry little relation to any thing which can Although the candidate ascendant is a hopeful character. of Peculiars, the Prerogative Court, the Court of Faculties, the Consistory Court, and the Vicar General's Office. Nor can the business of some of them be very onerous, although the fees are far from being light, since the late Sir H. J. Fust presided in these of the courts of the three of the courts, and Sir John Dodson at pre- purpose which has ever been devised by Congress. In all Court, has Dr. STEPHEN LUSHINGTON for its chief. All these courts are held in Doctors' Commons and demanded, he is suddenly seized with an irresistible call

The High Court of Admiralty of England cannot certainly be called an Ecclesiastical court, although it holds its sittings in Doctors' Commons, is presided over by a member of the College of Advocates, (Dr. S. LUSHINGTON,) and conducts its proceedings according to the method of the civil law. This court is of ancient institution. It is not a court of record. It has cognizance of all cases of bottomry, salvage, collision, scaman's wages, pilotage, breach of navy regulations, &c. In time or sublime than his predecessor. He is full of thought and

We have not attempted. have not attempted, in this sketch of the British Courts of Law, any detail of their history, a perfect statue, but is still a model in the hands of the or disquisition upon their origin and antiquity. Many extensive and learned works have been written upon those subjects, to which we must refer the comparatively few persons who are curious in such

CHAPTER ON CANDIDATES.

istics are peculiar; alike curious and instructive. Yet it is difficult for the unlearned to detect them without a guide. are keen and biting. To the Governor's first charge that Like our public buildings, every body knows of their ex- they are "Coolies," meaning thereby a species of serf or Sovereign, and appears the interests of the Crown are in question.

The Attorney and Solicitor-General are paid by fees; they are regarded as political adherents of the take them in their natural order. They may be divided into the following classes: 1st, the candidate expectant: into the following classes: 2st, the candidate expectant: istence, yet it is quite difficult to find them out without a slave, they reply: directory. I propose to remedy this inconvenience by a classification of the several species of candidates. I will take them in their natural order. They may be divided possible to a great many of them; but not in you seem to use it. 'Cooly' is not a Chinese word: I you seem to use it. 'Cooly' is not a Chinese word: I you seem to use it. 'Cooly' is not a Chinese word: I you seem to use it. 'Cooly' is not a Chinese word: I will take them in their natural order. They may be divided by the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the cool of the chinese word: I you speak of the Chinamen as 'Coolies,' and in word is applicable to a great many of them; but not in you seem to use it. 'Cooly' is not a Chinese word: I will take them in their natural order. They may be divided by the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the several species of candidates. I will word in the condition of the condition of the condition of the several species of candidates. I will word in the condition of the condition of the several species of candidates. I will word in the condition of the condition

will name one characteristic which is common to them all, varied only by the natural disposition of the individual. sation; a kind of setty-up manner which one assumes who considers himself dedicated to the service of his

is in a state of transformation, not yet set apart, but exabout measures which may produce an effect four years notes their age, and asks after their health; is a decided advocate of the one-term principle; takes much pride in the public buildings, and will vote any amount to keep the White House well painted and furnished.

The candidate in the ascendant is a more decided character. You can't mistake him. He is full of life and ac-They have no inherent power to proceed against de- tivity; hope with him is fast becoming a reality; for, allinquents otherwise than "pro salute anima." They though he is not yet quite a fixed fact, he is a fact in prohave cognizance of all cases and suits relative to gress, and, as such, moves in one direction; speaks, looks, marriages, and all applications for separation, but and acts the candidate; writes letters, harangues at dinthey have not the power to annul the marriage contract. They decide also upon the validity of wills, and grant probate and administration. They also determine all questions relative to tithes, church-of millions; employs letter-writers and buys up country to

> nays; hopes that they will not be called, and if they are to go out. He at last becomes a perfect dipper duck;

> have their habit. Even the tailors understand this. You may see it in the cut of their coat; wide and loose, in or-

r it adjudicates all questions of prize-money, and responsibility; appears conscious that he is set apart for all suits respecting matters occurring on the broad seas, or in parts out of the reach of the common law.

The Judge's salary is £4,000 per annum, with a reduced in the salary is £4,000 per annum, with a reduced in the salary is £4,000 per annum, with a reduced in the salary is £4,000 per annum, with a reduced in the salary is £4,000 per annum, with a reduced in the salary is £4,000 per annum, with a reduced in the salary is £4,000 per annum, with a reduced in the salary is \$1.000 per annum, meetings; scarcely eats or drinks, but is full of intense thought, and is subject to fear and hope, for he is not yet artist, and may never be placed on the pedestal. The people for whom the work has been executed have peculiar tastes, and they may reject it as a failure. It is then

m, with exdifferent contractions and the first contraction of the candidates and live life over again. There are one or two cases on record of an attempt to rewriting a reported candidates, the first contraction of the called contraction of the ca

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CHINA AND CALIFORNIA.

[The subjoined jeu d'esprit was received a week ago, but it has been crowded out by the pressure of other matter, and now, the Democratic Convention to rid the gold regions of Chinamen, already numerous, being over, it may be thought out of time. We and arriving almost daily, to issue a message in which can detect in it no individual aim, but if it have he gives the Chinese-Californians a bad character, and any personal application, it is not an unkind one, urges reasons why they should be restricted, if not examd will be pardoned for its wit.] pelled. The Chinese population, through some of their chief men, have responded in a letter addressed to the Governor. This manifesto, which is too long for our space The most interesting individuals of the present day are to-day, is a remarkable document, and meets the Goverhose called candidates. They have become so numerous nor's message with a mass of vindicatory arguments which clear, concise, and admirably expressed, while its retorts

They are as follows: The Arches Court, the Court of Part of Pa

And further:

Of the proposition to enact harsh laws with respect to

"You say there is no treaty proposition for the manner in which Chinese emigrants shall be treated, and that the Chinese Government would have no right to complain of any law excluding us from the country, by taxation or otherwise. This may be true of the Government, but it would certainty atlenate the present remarkably friendly feelings of the Chinese people, and in many ways interfere with the full enjoyments of the commercial privileges guarantied to the Americans by the treaty of Wang-Hiya."

POLITICS OF THE DAY.

Comparatively little has been heard from the lately most excited of the Southern States on the subject of the ensuing Presidential Election. As we understand the matter, there is in each of these States, certainly in some of them, a body of Reserves, not considering themselves included in either the Whig or the Democratic organization, but intending to vote for the candidate nominated by one or the other of these parties accordingly as they may approve of his particular sentiments and position.

approve of his particular sentiments and position.

To throw some light on the purposes of the "Reserves," we make the following extracts, which speak for themselves, from two of the papers of the State of Georgia which most freely speak out upon

FROM THE "BOME COURIER."

PARTY NAMES .- There was a time when party names vere almost omnipotent with the people; when the cry of Whig or Democrat would arouse and marshal, in opposing anks, a mighty host, prepared to de battle in the mair other issues formed the principal stoples in the platforms upon which old parties stood and fought. During Mr. Polk's administration, however, controversies sprung up which involved us in a foreign war, resulting finally in a large accession of territory, and in entailing upon the country a ponderous national debt. This acquisition of territory raised new and paramount issues in the councils of the country, whilst the sudden creation of a vast public debt left the tariff to adjust itself, under the pressing urgency of increased public expenditures. Hence it will be recollected that during the last Presidential contest parties, particularly at the South, were governed rather by personal preferences than political differences. Nor has any formidable attempt been made since that great struggle to revive and nationalize old issues. They have in reality ceased to occupy a place in the programme or platform of either of the old political parties. They cannot be reinstated as texts of political orthodoxy. They have been entirely overshadowed and obscured by the truly vital issues presented in those enactments embraced in the Comwhich involved us in a foreign war, resulting finally in a

ment of a United States Bank. Upon the subject of Internal Improvements, amid the "noise and confusion" upon other topics, nothing definite or satisfactory is heard. And yet men are lustily bawling out old names, as if there was any potency in the either the cognomine of Whig or Democrat. With empty and at present unmeaning appellations, the people cannot be deceived or ensnared. They know that it is the principles of a party and not its name that renders it worthy of their confidence. And those who think to make themselves acceptable by assuming new or renouncing old political titles, will find themselves greatly deceived and disappointed.

FROM THE "ATLANTA REPUBLICAN."

rest; and now that it is settled that Georgia will be represented in both of the National Conventions, it can be of might grow out of the attempt to force the Union party had not opposed and defeated the attempt, the dissolution of the Union party in the State would have been inevitable—the very thing our enemies desired. Thus defeated, the supplemental meeting, held at Milledgeville after the adjournment of the Convention, we hoped would be harmthe Union party; and, as might have been expected, they began to move for a representation in the Whig Conven-tion at Baltimore. The fire-eaters say this is all right; but they say it because they desire the dissolution of party, and the desire is father to the thought.

but they say it because they desire the dissolution of the party, and the desire is father to the thought.

We have already intimated that it is not now our intention to find fault, but rather to survey the present aspect of affairs. Georgia will be represented in the Baltimore Conventions, but not by representatives from the Union party. This is a fact to be remembered. The Union party is to hold a second session of their Convention after the Baltimore Conventions have made their nominations, and decide which ticket, if either, they can support. We look for this second meeting with much interest; and while we regret that the entire party could not feel satisfied with the decision of the majority, it is not for us to complain. The people have a right to their own action as citizens, and they have the right to send delegates to any Convention they may choose; and, after all, it may be that the very steps which we looked at as likely to do evil will lead to the recognition of the constitutional rights of the South steps which we looked at as likely to do evil will lead to the recognition of the constitutional rights of the South by both of the National Parties. Should this be the result, no Union man can feel that he has labored in vain; nay, he will feel proud that his principles have triumphed throughout the country. But will this be done? We confess we are hard to believe that either of the National Conventsons will so build their platforms that no plank designed for an abolitionist to stand upon will be left. The history of the past teaches a different lesson. If the Union men of the South have been able to teach them better manners, very well. We hope they have, but desire unmistakeable proof of it.

* * * The Whig party is now virtually dissolved, never again to be a national party, without receding from the mum position assumed for the present, and falling back upon the Constitution, where the North, the South, the East, and the West can all stand. This disturbance of the Whig party has called the attention of the people afresh to their rights throughout the South : to the struggle of 1849 and 1850, and especially to the remembrance of the men who figured in that struggle, and who may now

In doing this the attention of the people have naturally turned to the mighty efforts of such men as HENRY CLAY and DANIEL WEBSTER, whose great minds brought fanatidism to a pause in Congress, and gave abolitionism the chills in the North. Mr. CLAY's physician says that his efforts in that struggle have shortened his life ten years. Be this as it may, he has enjoyed no health since, and all agree he must shortly die. When Mr. CLAY was strugagree he must shortly die. When Mr. Clar was struggling with this perplexing question, and when overthrow seemed inevitable, Daniel Weister came to the rescue, and the speech of the 7th of March, the equal of which could have been made by none other, threw consternation into the ranks of the agitators. This memorable speech saved the Union, and embalmed its author in the hearts of the people—the people of the whole South. This speech was received the more readily because it was in accordance with the sentiments of his whole public life. If there be any man living who has always stood upon the whole Constitution, without one change, that man is Daniel Weister. And at this moment the American people have a stronger confidence in his statementship, integrity, and unflinching patriotism than they have in any other, excepting always the martyred Sage of Ashland, Henry Clay. CLAY. * The faithful manner in which Mr. FILLMORE

LAY.

* * The faithful manner in which Mr. Fillmore has carried out the Compromise acts in his administration has excited the admiration of the whole country. And while abolitionists writhe under the withering influence of his wise Administration, the friends of the Constitution throughout the South have a strong disposition to make him. President for another term. This desire exists, not only among those who were formerly Whigs, but is common to them and many who were formerly Democrats. Our readers all know our own predilections for him, as we conceal nothing; and in this case we have no inducement to conceal our preference. While we believe Mr. Fillmore to be the first choice of an overwhelming majority of the Union party in Georgia, we know of no second choice that would be so acceptable to that same majority as the illustrious Mr. Webstre.

If the Baltimore Whig Convention expects support from the Union party in Georgia, and we believe the whole South, the names of Millard Fillmore and Daniel Webstre are the only names that carry the least prospect of success.